

Application No. 10/089,067
Reply to Restriction Requirement mailed April 1, 2004

REMARKS/ARGUMENTS

Claims 21-69 are active in the case.

The Examiner states that Groups I and II are not so linked as to form a single general inventive concept under PCT Rule 13.1, because the special technical feature under PCT Rule 13.2 of Group I is the adhesive resin and hardening agent, as recited in Claim 21, which is alleged to be shown in the prior art of Pennisi et al.

However, it can be seen that the special technical relationship under PCT Rule 13.2, which appears in all claims, is a hardening agent which includes two types of carboxylic acids having melting points that are different from each other.

Pennisi et al discloses in column 3, lines 5-35 and the examples an adhesive material containing a fluxing agent which may be a carboxylic acid which may be an amine, an anhydride or suitable reactant. There is no recitation in the remaining specification and examples that discloses a combination of at least two types of carboxylic acids having melting points that are different from each other. Therefore, the special technical feature of Group I is neither anticipated by nor obvious over Pennisi et al.

Under PCT Rule 13.2 in addition to an independent claim for a given product, an independent claim for a process of using the product is proper for examination in the same application. It is clear from the discussion above that the claims of Groups I and II are proper for examination in this application under PCT Rules 13.1 and 13.2 and it is requested that the Examiner rejoin Groups I and II and examine all claims in this application.

Further, with respect to the elected species Applicants request that, if the elected species if found allowable, the Examiner expand the search to the non-elected species.

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Accordingly, for the reasons presented above, Applicants submit that the Patent and Trademark Office has failed to meet the burden necessary to sustain the restriction requirement and withdrawal of the restriction requirement is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/03)
REM/rac



Roland E. Martin
Registration No. 48,082